REMARKS

Claims 1-3, 5-8, and 89-109 are pending in the application after the present amendments. Claims 4 and 9-88 have been cancelled.

1. Election of Invention.

Applicants hereby elect the invention of Group I, drawn to a surgical device for treating tissue with a helical fixing member.

2. Election of Species.

Applicants elect as follows:

Set 1, Species A: A lumen configuration with the smaller lumen inside the larger lumen as illustrated in Fig. 10.

Set III, Species A: Deployment of the helical fastening member from the large lumen as specified on p. 26, ll. 14 and 15.

Set IV, Species A: A needle tip with a closed terminal end as illustrated in Fig. 3A-3D.

3. Identification of Claims That Read on the Elected Species.

Applicants respectfully submit that at least the following claims are readable on the elected species:

Set 1, Species A: Claims 1-3, 5-8, and 89-109.

Set 2, Species A & B: This species is not identified in the restriction requirement, so the Applicants are unable to respond.

Set III, Species A: Claims 1-3, 7, 8, and 89-107.

Set IV, Species A: Claims 1-3, 7, 8, and 89-109.

4. Remarks.

In this Response, Applicants have amended claims 1-8, have cancelled claims 9-88, and have added new claims 89-109. As illustrated by the comments below, it is submitted that the amended claims all relate to a single inventive concept.

The claimed invention is used as an ablation device in which therapy has to be delivered to a specific location in the heart. Claim 1 is amended to recite means for manipulating a distal end of the elongate member. The helical fastening member is deployed independently of needle movement. Movement of the distal end of the catheter is independent of the helical fastening member and the needle. There are two independently moving members with the catheter, which moves independently of the other two moving members. The elongate member can be steered to an area of interest independently of operation of the helical fastening member and the needle-like member. The catheter is intended to treat myocardial tissue at a specific location, *e.g.,* to deliver ablation therapy or a fluid) and even small movements are a major problem, because the movements decrease the chance of success and increase the risk of complications. See Figs. 6A-6D of the present application.

Favorable consideration of the elected claims and species is respectfully requested.

Respectfully submitted,

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